

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: ) Group Art Unit: 2815  
Kazuo NISHI et al. ) Examiner: Matthew Warren  
Serial No. 10/749,552 )  
Filed: January 2, 2004 )  
For: SEMICONDUCTOR DEVICE AND ) **RECEIVED**  
METHOD OF MANUFACTURING ) APR 11 2007  
THEREOF )  
 ) **OFFICE OF PETITIONS**

PETITION TO WITHDRAW FROM ISSUE

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions that the subject application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 CFR 1.97 (submitted herewith) and a Request for Continued Examination (RCE) (also submitted herewith).

Also submitted herewith is the requisite fee of \$130.00 set forth in 37 CFR 1.17(i).

In view of the foregoing, it is urged that this petition is in order and, accordingly, a prompt grant thereof is requested.

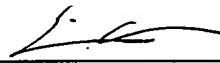
The Commissioner is hereby authorized to charge any fees which may be further required in this application, except the issue fee, or credit any overpayment to Deposit Account No. 50-2280, under the above order number. A duplicate of this sheet is attached.

04/12/2007 CKHLOK 0000001 10749552

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130.00 0P

Respectfully submitted,

  
Eric J. Robinson  
Reg. No. 38,285  
Robinson Intellectual Property Law Office, P.C.  
PMB 955  
21010 Southbank Street  
Potomac Falls, Virginia 20165  
(571) 434-6789

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL FOR FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** **(\$)** 920.00*Complete if Known*Application Number **10/749,552**Filing Date **January 2, 2004**First Named Inventor **Kazuo NISHI et al.**Examiner Name **M. Warren**Group Art Unit **2815**Attorney Docket No. **0756-7243****RECEIVED****APR 11 2007****OFFICE OF PETITIONS****METHOD OF PAYMENT**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

50-2280

Deposit Account Name

Robinson Intellectual Property Law Office

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17 and  
credit overpayments

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit Card  Money Order  Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1001	300	2001 150 Utility filing fee
1111	500	2111 250 Search fee
1311	200	2311 275 Examination fee

Over 100 Sheets/250 for each additional 50

Fee Paid

**SUBTOTAL (1) (\$)****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20**	= <input type="checkbox"/> X \$50	= <input type="checkbox"/>
Independent Claims	-3**	= <input type="checkbox"/> X \$200	= <input type="checkbox"/>
Multiple Dependent		= <input type="checkbox"/>	= <input type="checkbox"/>

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202	50	2202 25 Claims in excess of 20
1201	200	2201 100 Independent claims in excess of 3
1203	360	2203 180 Multiple dependent claim, if not paid
1204	200	2204 100 ** Reissue independent claims over original patent
1205	50	2205 25 ** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	<input type="checkbox"/>
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	<input type="checkbox"/>
1053	130	1053 130 Non-English specification	<input type="checkbox"/>
1812	2,520	1812 2,520 For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	<input type="checkbox"/>
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	<input type="checkbox"/>
1251	120	2251 60 Extension for reply within first month	<input type="checkbox"/>
1252	450	2252 225 Extension for reply within second month	<input type="checkbox"/>
1253	1020	2253 510 Extension for reply within third month	<input type="checkbox"/>
1254	1,590	2254 795 Extension for reply within fourth month	<input type="checkbox"/>
1255	2,160	2255 1080 Extension for reply within fifth month	<input type="checkbox"/>
1401	500	2401 250 Notice of Appeal	<input type="checkbox"/>
1402	500	2402 250 Filing a brief in support of an appeal	<input type="checkbox"/>
1403	1000	2403 500 Request for oral hearing	<input type="checkbox"/>
1451	1,510	1451 1,510 Petition to institute a public use proceeding	<input type="checkbox"/>
1452	500	2452 250- Petition to revive - unavoidable	<input type="checkbox"/>
1453	1,500	2453 750 Petition to revive - unintentional	<input type="checkbox"/>
1501	1,400	2501 700 Utility issue fee (or reissue)	<input type="checkbox"/>
1502	800	2502 400 Design issue fee	<input type="checkbox"/>
1503	1100	2503 550 Plant issue fee	<input type="checkbox"/>
1462	400	1462 400 Petitions, Group I	<input type="checkbox"/>
1463	200	1463 200 Petition, Group II	<input type="checkbox"/>
1464	130	1464 130 Petitions, Group III	<input type="checkbox"/>
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	<input type="checkbox"/>
1806	180	1806 180 Submission of Information Disclosure Stmt	<input type="checkbox"/>
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	<input type="checkbox"/>
1809	790	2809 395 Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
1810	790	2810 395 For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
1801	790	2801 395 Request for Continued Examination (RCE)	<input type="checkbox"/>
1802	900	1802 900 Request for expedited examination of a design application	<input type="checkbox"/>

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

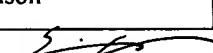
**SUBTOTAL (3) (\$)**

920.00

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

**SUBMITTED BY***Complete (if applicable)*

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285	Telephone	(571) 434-6789
Signature					
	Date	April 11, 2007			

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/749,552
Filing Date	January 2, 2004
First Named Inventor	Kazuo NISHI et al.
Group Art Unit	2815
Examiner Name	M. Warren
Attorney Docket Number	0756-7243

**RECEIVED**

APR 11 2007

**OFFICE OF PETITIONS**

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Withdraw from Issue <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosures 1. Request for Continued Examination 2. 3. 4. 5. 6.
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## Remarks

The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
Signature	
Date	April 11, 2007

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Type or printed name			
Signature	Date		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.